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October 3, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of Jesus Miranda and Charles J. Betlach, II
Application No. 09/456,278
Filed December 7, 1999

Examiner I. Ghali
Art Unit 1615

TRANSDERMAL PATCH FOR DELIVERING VOLATILE LIQUID DRUGS

(Attorney Docket No. P-24,540 USA)

CERTIFICATE OF MAILING

I hereby certify that this correspondence and the documents identified below are being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231 on October 3, 2002.

10/08/2002 HUVONG1 00000075 09456278
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Katrina Lynn

Communication

**Commissioner for Patents
Box AF
Washington, DC 20231**

Tagged for Expedited Procedure

Sir:

Enclosed herewith for the above-referenced application are the following:

- (A) Information Disclosure Statement Pursuant to 37 CFR §1.97(i);**

Application No. 09/510,560
Group Art Unit 1615

October 2, 2002

(B) Form PTO-1449 Modified;
(C) Request for Change of Correspondence Address Under 37 CFR §1.34(a) and Appointment of Associate Attorney under 37 CFR §1.34(b), duly executed; and
(D) Request for Continuing Examination under 37 CFR §1.114(a), including a Request for Suspension of Action for three months and a request for a one month extension of time from September 3, 2002 to October 3, 2002, and a check in the amount of \$980.00 to cover associated charges.

The status of the application is that this Communication and accompanying documents are being submitted following the issuance of an Examiner's final Action on June 3, 2002.

Please charge any additional fee or credit any overpayment to Deposit Account No. 19-5425. A duplicate of this Communication is attached.

October 3, 2002
Date

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Respectfully submitted,
Synnestvedt & Lechner LLP


H. Eric Fischer, Ph.D., Esquire
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(Attorney Docket No. 99.ETT-07.US / P24,540 USA)

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Katrina Lynn

Katrina Lynn

**Submission of Information Disclosure
Statement Pursuant to 37 C.F.R. § 1.97(i)**

Commissioner for Patents
Washington, DC 20231

Sir:

Pursuant to 37 C.F.R. § 1.97(i), enclosed herewith is "Substitute Form 1449A/PTO" which identifies publications disclosed in the above-referenced application and cited in the search report in related PCT application No. PCT/US99/28697. Copies of

Application No. 09/510,560
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October 3, 2002

the publications identified in said Form are enclosed.

U.S. Patent Nos. 5,726,190 to Rose et al. (hereinafter "the '190 patent"), 5,603,947 to Wong et al., 5,574,052 to Rose et al., 5,411,739 to Jaeger et al., 5,364,630 to Osborne et al., 4,915,950 to Miranda et al., and European Patent No. 524776 to Pfister et al. are cited in the present application. U.S. Patent Nos. 3,731,663 and 3,797,494 to Zaffaroni and 4,336,243 to Sanvordeker et al. are referred to in the '190 patent as being illustrative of patches for administering a drug transdermally.

U.S. Patent Nos. 5,691,365 to Crooks et al., 5,230,898 to Horstmann et al., 5,176,915 to Hoffmann, 4,717,568 to Eckenhoff et al., and PCT published application Nos. WO 93/00058 and WO 96/40085 were cited in the Search Report of the related PCT application.

Published PCT application WO 93/00058 is the parent of U.S. Patent No. 5,656,286 to Miranda, a reference upon which Examiner has in part based rejections in his action of October 15, 2001.

The following patents have been made of record by the Examiner: U.S. Patent

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October 3, 2002

No. 5,316,759 to Rose et al. (Rose); and 5,603,947 to Wong et al. (Wong). The Rose patent has been relied upon by Examiner as a basis of his rejection in his Action of October 15, 2001 and the Wong patent was relied upon by Examiner as a basis of his rejection in the Action of June 3, 2002. Accordingly, copies of these patents are not enclosed.

Respectfully submitted,

Synnestvedt & Lechner LLP

October 3, 2002
Date


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